

The Gazette



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NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 22nd February, 1961:—

Issue No.	No. and date	Issued by	Subject
22.	No. 18-ITC(PN)/61, dated 20th February, 1961.	Ministry of Commerce and Industry.	Extension of validity period—Consignments sunk on the S.S. 'Indian Navigator'—Import of replacement goods.
	No. 19-ITC(PN)/61, dated 20th February, 1961.	Do.	Import policy for 'Dates'—October, 1960—March, 1961 period.
23.	No. 17(16)-Tex.(D)/60, dated 22nd February, 1961.	Do.	Decision on recommendations of the Working Group for Rehabilitation and modernisation of the Woollen Industry.
24.	No. 20-ITC(PN)/61, dated 22nd February, 1961.	Do.	Import of Staple fibre under the Cotton Textiles Export Incentive Scheme.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

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PART I—Section 1

**Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued
by the Ministries of the Government of India (other than the Ministry of Defence) and by
the Supreme Court**

PRESIDENT'S SECRETARIAT

New Delhi, the 27th February 1961

No. 16-Pres./61.—The President is pleased to approve the award of the ASHOKA CHAKRA, Class II, to the undermentioned personnel for conspicuous gallantry:—

- (1) Major PARAYIL BHASKARAN (IC-3486), The Madras Regiment,

Effective date of award—19th December, 1958

In the period from June 1958 to August 1959 Major Parayil Bhaskaran commanded a unit operating in the Patharia Reserve Forest on the Assam border. During this period there was intensive firing across the border. Out posts were repeatedly attacked and hostile forces established posts in Indian territory and infiltrated at several points. Major Bhaskaran at much risk to his own life, a number of times under heavy fire, personally led the parties which established posts near the hostile positions and engaged the hostiles. His untiring efforts and courageous action resulted in the withdrawal of the hostile forces from all vantage points.

Throughout the operation Major Bhaskaran's personal courage and daring leadership were a source of inspiration to the men he commanded, and were in keeping with the best traditions of the Army.

- (2) Squadron Leader AYAPPAN SUDHAKARAN (3937) G.D. (P) (Posthumous).

Effective date of award—4th June, 1960.

On the 4th June, 1960, Squadron Leader Ayappan Sudhakaran was carrying out a test flight in a Ghat aircraft—the only one of its kind in India—which was fully instrumented when the engine flamed out at low altitude. He could have abandoned the aircraft and saved his own life but decided to save the aircraft by attempting a forced-landing. In this gallant attempt he lost his life.

Squadron Leader Ayappan Sudhakaran had been a test pilot for nearly three years at Kanpur during which period he made numerous test flights in which he faced great risk to his life and displayed outstanding flying ability and technical knowledge of a very high order. In this incident in which he lost his life he showed courage, devotion to duty and determination in the highest traditions of the Air Force.

- (3) No. 4435604 Sepoy CHUHAR SINGH, The Sikh Light Infantry.

Effective date of award—31st May, 1960

On the 31st May, 1960, Sepoy Chuhar Singh was proceeding on duty in the Naga Hills Tuensang Area, accompanied by two ORs when his jeep was ambushed by about 40 hostiles and he was wounded in the stomach and forehead. Although bleeding profusely, he took up position with an OR and returned the hostiles' fire. Later he sent the other OR to base for help and himself continued to man his gun keeping the hostiles at bay until reinforcements arrived. His vehicle was riddled with 37 bullet-holes.

In this encounter, Sepoy Chuhar Singh saved the lives of his comrades, his vehicle and a large quantity of arms and ammunition by his sustained bravery, cool courage and utter disregard of his personal safety. His action was in the best traditions of the Army.

- (4) No. 13714098 Rifleman HANS RAJ, 3 Bn. The Jammu and Kashmir Regiment. (Posthumous).

Effective date of award—18th May, 1960

Rifleman Hans Raj was the leading scout of a platoon that was sent out on the 18th May, 1960 to comb a particular area in the Naga Hills Tuensang Area for the hideouts of suspected hostiles. This area is highly mountainous and contains thickly wooded and steep, rocky slopes. The platoon had, therefore, to advance over a narrow foot track along a ridge. As the patrol reached a spot about 50 yards from a high vantage point, it came under heavy rifle fire. In spite of the firing the patrol pressed forward and then Rifleman Hans Raj charged the hostiles' position throwing

hand grenades and also firing from his sten gun. This bold and gallant action forced the hostiles to leave their position. Rifleman Hans Raj then moved further forward in utter disregard of his personal safety and, when he was about 10 yards from the enemy position, was shot through the head and died instantly. His conspicuous bravery and devotion to duty in utter disregard of his personal safety was in the best traditions of the Army, for which he laid down his life.

No. 17-Pres./61.—The President is pleased to approve the award of the ASHOKA CHAKRA, Class III, to the undermentioned personnel for gallantry:—

- (1) 2/Lieutenant SAMAR SINGH CHANDEL (IC-12013), 3 Bn. The J & K Regiment.

Effective date of award—22nd June, 1960

On the 22nd June, 1960 2/Lieutenant Samar Singh Chandel set out, with two Platoons under his command, in pouring rain and through country at places waist-deep in water, to destroy a hostile camp in the Naga Hills Tuensang Area. The camp was located on the top of a steep and precipitous hill accessible only by a narrow and risky footpath with little room for cover. 2/Lt. Chandel was between the forward section and the rest of the platoon as the whole force began to climb. When the leading section was about 40 yards from the top of the hill it was fired upon. 2/Lt. Chandel immediately dashed forward with great speed and ordered his section to charge himself leading the charge. This inspiring and bold action dislodged the hostiles from their position and they beat a hasty retreat leaving behind their arms and ammunition and their dead.

In this action 2/Lt. Chandel displayed courage, initiative and leadership of a high order.

- (2) No. 2431484 Jemadar PIRTHI SINGH, 9 Bn. The Punjab Regiment.

Effective date of award—27th September, 1956

Jemadar Pirthi Singh was sent on patrol duty with two sections towards Heizellaba on the night of 27/28 September, 1956 to ascertain hostile dispositions and weapons. The patrol completely surprised some 70 hostiles and occupied their position. Jemadar Pirthi Singh was ordered to remain there in order to establish a permanent picket. Troops for this picket had to be despatched from other pickets and could not arrive till 1700 hours on the 28th September, 1956. Meanwhile the hostiles repeatedly attacked the position. Although Jemadar Pirthi Singh and his men had been without food and water for nearly 24 hours, he kept them in high spirits and beat off all attacks. By occupying the hostile position he saved Mozema village from the depredations of the hostiles and also secured a valuable line of communication. His intelligent leadership, cool courage and aggressive spirit in the face of numerically superior hostiles were in the best traditions of the Army.

- (3) IOW-478 Lascar NEELAKANTU BHASKARA PANIKAR, Indian Air Force.

Effective date of award—10th March, 1960

A twin Pioneer aircraft of the Scottish Aviation Company carrying two observers, one from the IAF and the other from the Indian Airlines Corporation, crashed at Jorhat while taking off on an evaluation flight at about 1510 hours on 10th March, 1960. It caught fire, and set ablaze the surrounding vegetation. Lascar Panikar who was near the spot, rushed inside the aircraft and led Sqn. Ldr. Hedge, the IAF observer, to safety. He also attempted to rescue Captain Wassim Pina, the other observer, who was trapped inside the aircraft. Disregarding his personal safety, Lascar Panikar entered the burning aircraft three times and, despite the burns and injuries which he sustained due to the explosion of the fuel tanks, eventually rescued Captain Wassim Pina with the aid of an Army Sepoy.

Lascar Panikar showed great courage and initiative in bringing these two persons out of the burning aircraft and his gallant and selfless act, in complete disregard of his own safety, was in the best traditions of the Indian Air Force.

A. V. PAI,

Secretary to the President.

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th February 1961

No. 44/7'60-Poll(I).—The following statement showing the number of persons in detention under the Preventive Detention Act, 1950 (4 of 1950), in various States as on the 31st December, 1960, is published for general information :

No. of persons in detention under the Preventive Detention Act 1950, on the 31st December, 1960							Grand Total
Name of the State	Detained under section 3(1)(a)				Detained under Section 3(1)(b)		
	Clause (i)	Clause (ii)	Clause (iii)	Total of Cols. 2-4			
1	2	3	4	5	6	7	
1. Andhra Pradesh	..	I	..	I	..	I	
2. Assam	
3. Bihar	
4. Gujarat	..	II	..	II	..	II	
5. Kerala	
6. Madhya Pradesh	..	I	..	I	..	I	
7. Madras	
8. Maharashtra	..	7	..	7	..	7	
9. Mysore	
10. Orissa	
11. Punjab	..	I	..	I	..	I	
12. Rajasthan	
13. Uttar Pradesh	I	I	
14. West Bengal	..	67	..	67	..	67	
15. Delhi	
16. Himachal Pradesh	
17. Manipur	..	6	..	6	..	6	
18. Tripura	
TOTAL	..	94	..	94	I	95	

N. SAHGAL, Joint Secy.

CORRIGENDUM

New Delhi, the 27th February, 1961

No. 20/22/60-AIS(I).—In the Ministry of Home Affairs Notification No. 20/22/60-AIS(I), dated 19th January, 1961 (published in the Gazette of India, Part I Section I, dated 28th January, 1961), delete sub para to Clause (f) under item 8 Indian Postal Service, Class I, in Appendix IV.

T. R. RAGHURAMAN, Under Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 24th February 1961

No. 3(2)-Tex(B)/61.—In exercise of the powers conferred by Section 9 of the Cotton Textiles Fund Ordinance 1944 (Ordinance No. XXXIV of 1944), the Central Government hereby makes the following further amendment in the Cotton Textiles Fund Rules, namely:—

- (1) These Rules may be called the Cotton Textiles Fund (Amendment) Rules, 1961.
 - (2) In the Cotton Textiles Fund Rules, Rule 7 shall be amended to read as follows:—
- 7 Quorum. One-third of the number of members or ten whichever is more shall form a quorum at a meeting. For the purpose of this rule fractions shall be omitted.

L. RANGARAJAN, Under Secy.

RESOLUTION

New Delhi, the 21st February 1961

No. L.E. Ind.(A)-16(4)/58.—Government of India constituted a Panel in 1956 to consider the question of the development of Surgical Instruments and Appliances in all its aspects. The report submitted by this Panel *inter alia* recommended the necessity of having a body that could keep abreast with

the evolution in the field of Surgical Instruments and Allied items and suggest from time to time new items that should be taken up for manufacture and also advise Government on matters concerning the development of this industry in all its aspects generally. The Government of India have accepted this recommendation and have accordingly decided to constitute an Advisory Committee under the chairmanship of Shri V. P. S. Menon, Industrial Adviser, Development Wing. The personnel of the Advisory Committee will be as follow:—

Chairman

1. Shri V. P. S. Menon, Industrial Adviser, Development Wing, Ministry of Commerce and Industry, Udyog Bhavan, New Delhi.

Members

2. Shri P. K. Doraiswamy, Orthopaedic Surgeon, Safdarjang Hospital, New Delhi.
3. Lt. Col. L. K. Ananthanarayanan, O.C., Artificial Limb Centre, Poona.
4. Brig. N. N. Chopra, DRD (G), Defence Production Organisation.

OR

- Major J. N. Chatterjee, DAGD, Defence Production Organisation.
5. Shri K. L. Talwar, ASD, CIGS, Kanpur.

OR

- Shri S. L. Gandhi, ASD, CIT&C, Kanpur.
6. Col. R. D. Ayyar, Medical Superintendent, Safdarjang Hospital, New Delhi.
7. Shri A. D. Bohra, Director, Office of the Development Commissioner, Small Scale Industries, New Delhi.

Member-Secretary

8. Shri Sat Pal Singh, Deputy Development Officer, L.M.E. Directorate, Development Wing, Udyog Bhavan, New Delhi.

Two more members, if considered necessary, will be appointed later by Government.

The Advisory Committee can co-opt up to two additional members, if in their opinion, the members have special knowledge or experience, which might be useful for the work of the Committee.

ORDER

Ordered that a copy of the Resolution be communicated to all concerned and that it be published in the Gazette of India.

R. V. RAMAN, Jt. Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

RESOLUTION

New Delhi, the 27th February 1961

No. 23-PLA(103)/59.—In modification of the Ministry of Transport and Communications (Department of Transport) Resolution No. 23-PLA(103)/59, dated the 12th May, 1960 published in the Gazette of India, Extraordinary, Part I Section I, dated the 14th May, 1960 the Government of India have decided that Shri V. A. Jaywant, Traffic Manager, Madras Port Trust shall be a member of the Committee to examine the feasibility of evolving a system of payment by results to certain categories of employees under Bombay and Madras Port Trusts *vice* Shri T. K. Parameswaran Nambiar, who has resigned from the Committee.

ORDER

That a copy of the Resolution be communicated to the interests concerned and that it be published in the Gazette of India for general information.

NAKUL SEN, Jt. Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

RESOLUTION

New Delhi, the 23rd February 1961

No. WB-7(30)/60.—By their Resolution No. WB-7(2), dated the 26th December, 1957, the Government of India appointed a Central Wage Board for the sugar industry with the following composition and terms of reference:—

I. COMPOSITION—

Chairman

Shri Bind Basni Prasad.

Independent Members

- (1) Shri H. C. Dasappa, M.P.
- (2) Dr. P. S. Lokanathan.

Members representing employers

- (1) Shri Gulabchand Hirachand.
- (2) Shri R. P. Nevatia.

Members representing workers

- (1) Shri Kashi Nath Pandey, M.P.
- (2) Shri Gangadhar J. Ogale.

Consequent on the resignation of Shri Gulabchand Hirachand on the 7th January, 1960, Shri Shanti Lal K. Somal was appointed to represent the employers.

II. TERMS OF REFERENCE—

- (a) to determine the categories of employees (manual, clerical, supervisory etc.) who should be brought within the scope of the proposed wage fixation;
- (b) to work out a wage structure based on the principles of fair wages as set forth in the report of the Committee on Fair Wages;

Explanation

in evolving a wage structure, the Board should in addition to the considerations relating to fair wages, also take into account:—

- (i) the needs of the industry in a developing economy;
 - (ii) the special features of the sugar industry;
 - (iii) the requirements of social justice; and
 - (iv) the need for adjusting wage differentials in such a manner as to provide incentives to workers for advancing their skill;
- (c) bear in mind the desirability of extending the system of payment by results;

Explanation

in applying the system of payment by results the Board shall keep in view the need for fixing a minimum (full back wage) and also to safeguard against over work and undue speed; and

(d) to work out the principles that should govern the grant of bonus to workers in the sugar industry.

2. The Board's report was received by Government on the 28th November, 1960. A summary of the recommendations is appended.

3. After careful consideration of the Board's report, Government has decided to accept the recommendations of the Board subject to the following:

(a) Workload studies

Government has taken note of the Board's recommendations that workload studies be undertaken in the sugar industry and that such studies should be preceded by reasonably specific programme of implementation drawn up in consultation with the organisations of the interests concerned. Government propose to consider the matter further in consultation with the parties.

(b) Bonus

Government commends the bonus formula for the North and Central regions recommended by the Wage Board. If, however, the parties concerned in any of the States included in these regions agree to adopt any other formula for determination of bonus payable in respect of a particular period, they may be allowed to do so.

4. Government requests the employers, workers and State Governments to take immediate steps to implement the recommendations of the Wage Board. Government expects that the parties will show a spirit of accommodation in interpreting and implementing the recommendations and difficulties if any, will be solved by mutual negotiations and agreement.

5. The Government of India wish to express their appreciation of the great thoroughness and care with which the Board has dealt with the matters referred to it.

ORDER

Ordered that a copy of the Resolution be communicated to:

- (i) all State Governments and Union Territories.
- (ii) all Ministries of the Government of India and the Planning Commission.
- (iii) all India Organisations of Employers and Workers.
- (iv) The Indian Sugar Mills Association, Calcutta.

Ordered also that the Resolution be published in the Gazette of India for general information.

P. M. MENON, Secy.

APPENDIX

SUMMARY OF RECOMMENDATIONS

(1) The investigations by the Board were decided to be confined to the vacuum pan sugar factories and not to cover khandasari industry and (open pan) gur refineries. (Para 18).

(2) The workers in the allied industries carried on by sugar factories are beyond the purview of the Board. (Para 19).

(3) The Board is of the view that its terms of reference do not cover the workers employed on the farms attached to the sugar factories. (Para 21).

(4) Unless expressly indicated otherwise, the recommendations of the Board would apply to workmen engaged by a contractor of a factory also, if they do work connected with:

- (a) manufacturing process as defined in section 2(k) of the factories Act 1948; or
- (b) cleaning any part of the machinery or premises used for manufacturing process; or
- (c) any other kind of work incidental to or connected with, the manufacturing process or subject of manufacturing process including handling, loading or unloading of raw materials, stores and finished product in the premises of the factory; or
- (d) repair and maintenance of machinery, building or other capital assets of the sugar factory. (Para 24)

(5) All employees falling within the definition of "workmen"—excepting apprentices for whom separate scheme (*vide* paragraph 29) has been devised, should be governed by the recommendations of the Board. (Para 25)

(6) Apprentices may be taken for all highly skilled, skilled and semiskilled occupations but no apprentice should be taken for unskilled jobs. Subject to the condition that if an apprentice for a job is recruited from any of the lower jobs in the factory itself, then his emoluments would not be less than what he would be eligible for on that lower post and that the emoluments of none of the existing apprentice would be

reduced, the apprentices should not be paid less than sixty percent of the minimum basic wages and dearness allowance or consolidated wages as the case may be, of the occupation for which he is given the training but he would not be eligible for any bonus. (Para 29).

(7) The period of apprenticeship should not exceed two years and while it cannot be made obligatory upon a factory to employ a person in the particular occupation for which he was given the training, the Board hopes that the Mills will utilize the training imparted by them to the apprentices. (Para 29).

(8) Having regard to the factors of duration of season, sugar recovery percentage from cane, cost structure of sugar industry in different areas, the sugar price position, the prevailing wages in industry and other cognate matters, the following four regions were decided for purposes of wage fixation:

- (a) North: comprised of the States of Punjab, U.P., Bihar, West Bengal and Assam.
- (b) Central: comprised of the States of Gujarat, Rajasthan, Madhya Pradesh and Orissa.
- (c) Maharashtra: comprised of the state of Maharashtra only.
- (d) South: comprised of the States of Madras, Andhra Pradesh, Kerala and Mysore.

(9) It is not desirable to discriminate against the workers in East U.P. sugar factories in the matter of fixation of wages. It is open to the sugar factories of the area to approach the Central or the State Government for grant of relief. It may well be hoped that the national Government interested as they are in the industrial development of the country would give the matter sympathetic consideration. (Para 41).

(10) While, owing to limitations as to time and personnel, it was not found possible by the Board to embark upon workload study to determine labour surplusage in the mills, it strongly recommends to the Government to undertake workload study in the sugar industry at an early date. (Para 49).

(11) While taking note of the subsidised rent prescribed by the Government in respect of single room tenement and the one fixed by the Cement Wage Board, the Board keeping in view the existing practice in the sugar industry, the standard of housing available, the seasonal character of employment, the paying capacity of the industry and the over-all increase likely to result in consequence of its recommendations, recommends that the element of house rent in the emoluments of the sugar workers at the minimum wage level should be to the extent of rupees five for standard housing accommodation (Para 147).

(12) Since the minimum rent prescribed for the standard housing was below the subsidised rent fixed by the Government, the Board recommends that as total wages advance, the rates of rent should also increase. (Para 157).

(13) In respect of the quarters provided by the mills to its employees drawing up to Rs. 500 the house rents in respective cases are to be inclusive of electric energy at the rate of 1 unit or in lieu thereof, 2 bottles of kerosene oil per point of electricity (which in the case of single room tenement amounts to 8 units of electricity or 4 bottles of kerosene oil) as per subsidised Industrial Housing Scheme, subject to the condition that where by agreement or award higher electricity energy was provided, the system would not be disturbed (Para 157).

(14) The rent prescribed by the Board having been fixed with reference to standard housings, the rent chargeable by the factories will be proportionately less for lesser area in respective cases, while the rents for constructions with tinued or tiled (ordinary roof or masonry walls) or with asbestos G.I. sheets will be half of that chargeable for standard type of housing in respective cases. (Para 157).

(15) For purposes of rent, the Board takes no cognizance of the improvised, purely temporary living arrangements—in most cases set up by low paid employees in absence of suitable housing arrangement from the side of the mills. (Para 158)

(16) With a view to encourage construction of quarters the Board considers it essential to prescribe that where a quarter is offered to a worker and the latter does not choose to occupy the same, then 50 per cent of the rent chargeable for the tenement will be deductible from the wage of the workman concerned. (Para 159).

(17) Where food articles were being supplied at subsidised rates or where fuel was being supplied at concessional rates or free to certain extent, the mills would be entitled to make adjustment of concession against wages if the workers opt for the continuance of supply of these articles from the side of the mills. (Para 160, 162).

(18) While free or concessional supply of fuel can no longer be legitimately insisted upon, the factories should arrange to supply fuel at cost rates wherever a demand of that kind is made. (Para 162).

(19) While recommending the early institution of workload studies for assessment of fair workload and actual man power requirements, the Board considers it important that such studies should be preceded by reasonably specific programme of implementation drawn in consultation with the organisations of the interests concerned. (Para 192).

(20) Taking all the relevant considerations into account, the Board recommends total minimum wages for unskilled workers for each region separately as follows:—

Region	Total Wages.
1. Central	.. 66—1—71
2. North	.. 76—1—81
3. Maharashtra	.. 87—1—92
4. South	.. 81—1—86

(Para 205).

(21) Although the total minimum wages would necessarily vary from region to region depending on regional paying capacities of the industry, the Board considers it desirable to have basic minimum wages in the sugar industry throughout the country, as the same has several advantages. It shall be 60—1—65. The rest will be D.A. for each region. (Para 205).

(22) Benefits such as bonus, gratuity, etc. usually calculable on basic wages should be calculated on full basic wages and deductions on account of housing, food and fuel etc. should not be taken into account. (Para 205).

(23) The total minimum wages fixed by the Board having been conceived in reference to 123 points of cost of living index, the difference between the total Wages prescribed for an occupation and its basic wage would represent the element of dearness allowance in the respective regions for 23 points of index, over 1949 base (100). (Para 206).

(24) In fixing the minimum wages, regard for differences in paying capacity of the industry in different regions having been made by making differences in the dearness allowance element, basic wages and dearness allowance should together be looked as integral whole. (Para 206, 207).

(25) In view of the broad principle that the wages of employees in the same industry in a region should not differ and as the financial capacity of co-operative sugar factories is undisputed, the Board considers that there exists no justification for making any distinction between the wages in co-operative and other factories. (Para 215).

(26) Where, in any sugar mill, a settlement in regard to wages is in force, workmen should have a right to opt between the existing wage rates and the wage structure as evolved by this Board. (Para 217).

(27) The scheme of dearness allowance conceived by the Board falls into two parts. The graduated rates of D.A. comprise part I of the D.A. scheme while part II is comprised of the D.A. rates linked to cost of living index. (Para 231).

(28) The regional differences in graduated D.A. rates have been devised by the Board to adjust the wage structure to the regional differences in paying capacity of the industry and in the same region dearness allowance would vary from one class of occupations to other depending upon the scales of wages. (Para 231).

(29) For rises over 123 points of the All India Average Consumer Price Index Numbers for working class or fall below this level, the Board recommends adjustment of dearness allowance at the rate of 55 nP. per point of cost of living index in the case of operatives up to skilled 'B' grade and clerks drawing basic wage up to Rs. 100 p.m., while for supervisory and technical employees of not less than skilled 'A' grade and for clerks drawing basic pay of over Rs. 100 p.m. the rate recommended is 65 nP. per point. (Para 232).

(30) While for rises over 123 points of cost of living index or fall below this level, adjustments in dearness amount shall not be made for less than 10 whole points, when once there has been a rise or fall by 10 or more whole points, adjustments should be made for every point of the rise or fall. Once an adjustment has been made, further adjustment shall be made for further rise or fall of ten or more whole points; provided firstly,—that for fall of the average cost of living index below 123 points no deduction from the graduated flat rate D.A. shall in the first instance, be made unless the fall exceeds 15 points. Provided secondly that at no stage the deduction shall go to the extent of curtailing the basic wage in the scale.

(31) The adjustments in dearness allowance amount related to cost of living index, although automatic, shall be made only once a year on the basis of the average monthly cost of living index calculated over the twelve months period from 1st July to 30th June. (Para 232).

(32) The Board favours the adoption of a common price index series for relation the D.A. rates as against the series maintained in different States or regions, for, apart from other things, otherwise the wage relativities as between different regions are bound to be upset and even in the same region, the wages can hardly remain uniform. (Para 237).

(33) There is no justification for whittling down the dearness allowance of sugar employees on the assumption that the prices of goods and services stipulated as entering into the consumption of industrial workers are cheaper in rural areas. (Para 289).

(34) Since wages should be fixed with reference to distinguishable jobs with known functions or duties, the Board found it essential to standardise more common of the occupational nomenclatures enumerate as many of the prevailing designations as could be available, classify the operative jobs on basis of skill and to further grade them according to basic job factors. (Paras 253 and 261).

(35) While in a large majority of cases fitment of incumbents of different occupations into the standardisation scheme is likely to present no problem because it is to be done with reference to the duties performed by persons and not merely by designations some difficulties may, no doubt, come to be experienced where the duties performed by the incumbent of a job do not, for various reasons fully conform to the descriptions, given in the Board's scheme. There may besides be some border line cases where inside an occupation gradations have been made. Given necessary good will, the Board hopes that most of these would be resolved between the parties, failing which a suitable tripartite machinery devised by the Government should deal with it on reference. (Para 263).

(36) The Board recommends as below, eight basic wage scales for operatives, six for clerks and four for supervisory employees receiving upto Rs. 500.

BASIC WAGE SCALES

Class	For Central, North and South Regions	For Maharashtra Region
OPERATIVES:—		
Unskilled	60—1—65	60—1—65
Semi-skilled	B 65—1.50—74	66—2—86
"	A 68—2—80	73—3.50—108
Skilled	C 75—3—96	80—4—120
"	B 90—4—110—EB—5—135	95—5—120—EB—5—145
"	A 105—6—135—EB—7—170	115—7—150—EB—7—185
Highly-Skilled	B 135—7—170—EB—9—215	150—9—195—EB—9—240
"	A 180—8—220—EB—10—270	180—10—230—EB—10—280
CLERKS		
VI	72—3—93	
V	77—3—98	77—3—107—EB—5—115
IV	87—4—107—EB—5—132	87—4—107—EB—5—132
III	105—6—135—EB—7—170	105—6—135—EB—7—170
II—B	130—7—165—EB—8—205	130—7—165—EB—8—205
II—A	200—8—240—EB—12—300	200—8—240—EB—12—300
I	250—20—350—EB—25—475	250—20—350—EB—25—475
SUPERVISORY		
	200—10—250—EB—10—300	200—10—250—EB—10—300
	200—15—275—EB—15—350	200—15—275—EB—15—350
	250—20—350—EB—20—450	250—20—350—EB—20—450
	300—25—425—EB—25—600	300—25—425—EB—25—600

(Para 289 and Table XVI)

(37) In so far as the basic wage structure is concerned it is common in respect of three regions viz. Central, North and South and allowance for differing paying capacity of the industry in different regions has been made in the graduated D.A. rates. But a departure from this was found necessary to be made in the case of Maharashtra region, for otherwise the amount of graduated dearness allowance would have come to form unduly large proportion of the total wages, while the Board's view was that the bulk of the total wages should consist of the basic wage. (Para 289).

(38) As for medical and educational staff, it is recommended that subject to the condition that no one's emoluments shall be reduced, and those of compounders, nurses and midwives among the medical staff, and the primary school teachers

among the educational staff will not be less than the minimum of the lowest grade clerk in the mills, the medical staff excepting ward boys, sweepers and such other unskilled manual workers as may be employed and the educational staff shall receive emoluments (viz. basic wage, D.A. and such other allowances) not less than what may be in force for similar categories of employees in the service of the Government of the State in which the mills may be situated. (Para 291).

(39) Allopathic Doctors possessing upto M.B.B.S. qualifications should be placed in P.M.S. II grade and those possessing over and above the M.B.B.S., post graduate or foreign qualification should be placed in P.M.S. I grade. (Para 292).

(40) Ward boys and sweepers being on level with unskilled manual workers should receive similar pay. (Para 292).

(41) Since the rules of appointment regarding Labour Welfare Officers as framed by the respective State Governments are applicable to factories in general, the Board does not consider it advisable on its part to make invidious distinction in favour of those Labour Welfare Officers who happen to be employed in sugar industry. (Para 293).

(42) There being very wide variations between the functions, qualifications and existing emoluments of holders of certain designations e.g. Cane Development Officer, and Asstt. Works Manager, Asstt. Sales Manager, Sales Manager, Purchase Officer, Labour Officer, Transport Superintendent and Asstt. Transport Superintendent, the Board recommends that the factories concerned may fix their scales of pay and dearness allowance having regard to qualifications, experience, duties and functions and keeping in view the scales and grades applied to other employees in the sugar industry. (Para 295).

(43) Apart from the few designations, the qualifications and functions of the holders of which show very wide variations, the Board has deliberately left out certain stray jobs, and a few jobs may have been left out on account of information regarding these being not available with the Board. Their emoluments should be fixed by the mills in the light of the revised wage structure and the duties, qualifications and experience required of the incumbents of the particular jobs. The matter can also be dealt with at the level of the Tripartite Machinery and failing a settlement on this matter, the machinery provided under the Industrial Disputes Act can be invoked. (Para. 295).

(44) In case of seven occupations, the Board found it necessary to prescribe weightages to be applicable generally or in a particular region only, over and above the wage scale fixed for the respective grades under which they have been classed. Accordingly, palledars should be allowed Rs. 5 over and the emoluments of their grades. This would apply to all the regions. Peons, watchmen, sweepers, guest house attendants, cleaners and Lab. boys in Maharashtra factories only should be allowed a weightage of Rs. 5 per month over the wage scales for the un-skilled. (Para 294).

(45) As a safeguard against reduction of existing wages it is provided that in no case should the existing wages come to be reduced in consequence of deduction for any of the amenities e.g. housing, fuel etc. which was being enjoyed free or at concessional rates in the past. (Para 298).

(46) The Board considers it necessary to clarify that ordinarily the workers would cross the efficiency bar as a normal routine. Only in event of proved inefficiency could the increment be stopped but such cases will be reviewed by the management every year. (Para 298).

(47) The Board also considers it necessary to stress that its recommendations constitute a composite scheme. Being the integral whole, they should be implemented as such. (Para 298).

(48) The Board recommends that supervisory, clerical, highly skilled and skilled workmen employed on seasonal basis should be paid retaining allowance @ 50% and the semi-skilled seasonal workmen @ 25% of their monthly basic pay and dearness allowance, subject to the condition that if immediately prior to the implementation of the recommendations of this Board any workmen in any of the above classes was receiving higher amount as retaining allowance, he shall continue to receive such higher amount, until by promotion of the workmen concerned, the amount calculable at the rate specified above become higher in his case. (Para 302).

(49) While the specialised skill acquired by highly skilled, and semi-skilled employees make it difficult in their case to readily obtain suitable alternative employment, difficulties to such an extent do not exist in respect of unskilled seasonal employees. Further, keeping in view the substantial increase in minimum wages already recommended by the Board, it sees no justification for recommending retaining allowance in their case. (Para 304).

(50) Finding force in the demand of the Sugar Technologists' Association in this respect the Board recommends that wherever the Manufacturing Chemists and Lab-Incharges have been employed on seasonal basis, they should be made permanent. (Para 306).

(51) While generally agreeing with the view of the I.L.O. expert that the nature of the sugar industry imposes certain limitations on the types of the incentive schemes which would be suitable for it and that schemes of piece work type will not suit the main manufacturing operations, the Board commends to the sugar industry further study with a view to introducing incentive schemes where-ever possible. [Para 310 & 311].

(52) The Board considers that (i) the factories newly installed which went into production in 1959 or thereafter, (ii) those having daily crushing capacity below 800 tons which suffered loss for two successive years immediately preceding the implementation of these recommendations, and (iii) the units which have so long been paying total minimum wage of Rs. 50/- or less, may find it difficult to implement immediately the full recommendations of the Board. Hence as a measure of relaxation for a limited period, it is provided that for the first two years one half of the recommended D.A. rates may be applied in their case. (Para 313).

(53) Subject to the condition that no workman shall cross the maximum of the scale or the grade to which he belongs, every workman, including compounders, nurses and midwives shall be so placed in the scale or grade to which he or she becomes entitled in terms of the recommendations of this Board that he or she gets an increment of at least Rs. 10/- over the basic wage and dearness allowance or consolidated wages which he or she was receiving on the 31st October, 1960. [Para 315(5)].

(54) For fitting the workmen already in the employ on the date of implementation of the Board's recommendations into the wage structure recommended by the Board, the money value of free housing or any other amenity the cost of which has now been held by the Board as deductible from pay but which was being enjoyed free or at concessional rates in the past, shall be taken into account, i.e. it would in the first instance be added into the pay of the respective workmen to place them into the recommended wage structure. [Para 315(2)].

(55) If in the process of fitting into the new wage structure, the wages of a workman come to fall between two stages of the scale or grade applicable in his case, then he should be fixed in the next higher stage of the scale or grade. [Para 315(5)].

(56) The full time medical officers and teachers should, after being brought into the respective scales prescribed for similar categories of employees in the service of the Government of the State where the mills may be situated be given increments at the rate of one annual increment for every three years of service or part thereof in excess of one year, subject however to a maximum of three increments and the condition that the respective scale or grade is not exceeded. [Para 315(5)].

(57) In Maharashtra region the workers will be given one increment for every four years of service subject to a maximum of three increments and the maximum limit of the scales in respective cases not being exceeded. [Para 315(5)].

(58) Since the crushing season usually begins from November, the Board's recommendations should be effective from 1st November, 1960. (Para 317).

(59) In view of the desirability of their being a truce between the parties in so far as the matters covered by the Board's recommendations are concerned, it recommends that at least for five years these should not be revised. (Para 318).

(60) Having considered the question of gratuity for sugar mills employees in all its aspects, the Board frames a detailed gratuity scheme to apply with effect from 1st November, 1960 to all permanent and seasonal workmen (with the exception of apprentices) employed in, or in connection with sugar factories. The scheme inter-alia provides for the general superannuation age of 58 years, lays down other conditions in which gratuity would be payable, and the rates of gratuity to be applicable in the case of permanent and seasonal workmen separately for different periods of service.

(61) In the factories where basic wage and dearness allowance were paid separately, the gratuity for period of service prior to 1st November, 1960 will be calculable on basic pay immediately preceding the date of application of the new wage structure subject to a minimum of Rs. 30/-. But in the factories where consolidated wage system prevailed, such calculation will be made on the notional monthly basic pay as shown in the schedule. (Para 327).

(62) For the period of service from the date of implementation of the recommended wage structure, the gratuity will be calculable on the basic wage as may be payable in respective cases when the gratuity claim becomes due. (Para 327).

(63) Having regard to the particular attitude of labour apropos balance sheets in the North, the good points of the bonus system which has prevailed in the North for thirteen years and the new support which this method of calculating bonus has gained in Central region, the Board recommends for these two regions, a bonus formula which for calculation of net profit rests on the regional cost schedule (given by Tariff Commission 1959) as adjusted to the duration of season and sugar recovery percentage attained by individual mills. (Para 356).

(64) The Board recommends that in the North and Central region 22 per cent of the profits after tax, calculable in the manner prescribed, will be paid by the mills as bonus to their employees, provided that in case of factories having daily (24 hours) cane crush of less than 1000 tons as season's average, the bonus @ 20 per cent of such profits will be paid. Saving in taxation according to clause VII of the formula on the amount distributable as bonus will be further distributed in the same proportion being relief under the Income Tax Act but it could be done only once.

(65) The bonus in North and Central region mills would be subject to a ceiling of three months consolidated wages.

(66) In view of the fact that the practice of settling bonus claims unit-wise by collective bargaining in the broad frame work of the full bench Labour Appellate Tribunal formula has on the whole worked satisfactorily in Maharashtra and South regions, the Board taking besides note of the fact that the Government have already announced their intention of appointing a Bonus Commission, does not feel it necessary to evolve a fresh bonus formula for the sugar industry of these regions. (Paras 360 & 361).

(67) In respect of Maharashtra and South regions the Board recommends that the present practice of settling bonus claims by negotiations in the back-ground of the full bench Labour Appellate Tribunal formula as recently interpreted by the Supreme Court should continue. (Para 361).

